

REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action mailed March 17, 2008, in which the Examiner (1) rejected claims 1-7, 18-20 and 22-28 under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 5,842,221 ("**Schmonsees**") in view of US. Pub. 2004/0249251 ("**Olschafskie**") and (2) rejected claims 8-11 and 19 under 35 U.S.C. 103(a) as being unpatentable by **Schmonsees** in view of **Olschafskie**, and further in view of U.S. Publication No. 2003/0018629 ("**Namba**").

Applicant respectfully requests reconsideration.

Applicant's invention as embodied in independent claim 1 is a method wherein a request is received from a user to access a frequently asked questions (FAQ) page. Account data that is associated with personal data of the user is retrieved, and a set of questions (and corresponding answers) are selected for display to the user based on the account data. In this way, the set of frequently asked questions (and corresponding answers) that are displayed to the user are personalized to that user based on the account data, rather than being based solely on topics selected by the user. As a result, and as explained in the Specification, for each user who requests FAQs, a different set of FAQs may be provided based on the user's personal account data.

By the present Amendment, Applicant has amended claim 1 to clarify the nature of an FAQ page, namely that the FAQ page "provides at least one question with an answer corresponding to the question." Similar clarification has also been made to independent claims 18 and 24 (and claim 25 has been cancelled for consistency with the clarification made to claim 24). Such clarification is believed implicit in the subject matter of the claims as previously presented. Further, claim 4 has been amended to correct an obvious typographical omission. Applicant respectfully requests entry to place the claims in condition for allowance, or alternatively, in better form for purposes of appeal.

The independent claims have been rejected on the basis of **Schmonsees** in view of **Olschafskie**. Applicant respectfully submits that **Schmonsees** and **Olschafskie**, either alone or as combined, do not teach or suggest the subject matter of the independent claims.

Schmonsees teaches the creation of links for frequently asked questions so that if a user selects a topic and a question, the user receives the answer to the question and also receives links to related information. See for example, column 2, lines 1 through 15. However, **Schmonsees** never records anything about the user, nor does it search a database for account information and associated personal information of the user. Rather, in **Schmonsees**, FAQs are selected based on topics chosen by the user (see col. 4, lines 36-43).

Olschafskie teaches a healthcare intake method that screens for medical conditions. The user is asked preliminary and follow-up questions, and the system accesses a history module 101 (medical history and personal information, such as physical, emotional and mental attributes) to provide a medical assessment (paragraphs 0004 and 0025). **Olschafskie** does not involve a FAQ page, and it does not retrieve account data to provide FAQs.

The Examiner's basis for combining **Schmonsees** with **Olschafskie** is not entirely clear to Applicant. The Examiner states (page 3 of the Remarks) that it would be obvious to modify **Schmonsees** with **Olschafskie** to teach Applicant's invention because it would "show to the right user the account that belong[s] to that user" and it would facilitate "providing information in view of the user preferences."

However, neither reference discusses account information, and neither reference discloses retrieving FAQs based on account and associated personal data. Applicant submits that just because **Olschafskie** describes retrieving health-related personal information in order to assess a medical condition (which assessment clearly cannot be done without considering physical, emotional or mental attributes of the patient), does not make it somehow obvious to modify **Schmonsees** to yield a FAQ system where FAQs are selected based on "account and associated personal data," rather than the conventional and expected method of selecting on the basis of topics as in **Schmonsees**. The Examiner has not provided any basis for concluding that one skilled in the art would select FAQs on any basis other than on the basis of topics. As stated in *KSR Int'l v. Teflex Inc.*, 127 S.Ct. 1727 (2007), "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated underpinnings to support the legal conclusion of obviousness." Applicant respectfully submits that the

Examiner has not met this requirement with the statement that it would be obvious to modify **Schmonsees** with **Olschafskie** because it would "show to the right user the account that belong[s] to that user" and it would facilitate "providing information in view of the user preferences."

In addition, Applicant respectfully submits that the Examiner is ignoring limitations in the recited claims. Even if **Schmonsees** and **Olschafskie** could be properly combined, they do not teach all of the elements of claim 1, such as the following:

"retrieving account data for the user, wherein the account data is associated with personal data related to the user; and

selecting a set of questions and the corresponding answers to display to the user based on the account data so that the set of questions and corresponding answers are personal to the user based on the personal data of the user, rather than based on topics selected by the user" (emphasis added).

Independent claims 18 and 24 recite (or include within their scope) similar subject matter and are believed allowable for the same reasons as stated above. Dependant claims 2-11, 19-23 and 26-28 recite limitations in addition those of their respective independent claims, and are thus believed allowable for at least the same reasons.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/783,715
Amdt. dated May 16, 2008
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2164

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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